

**Recess.**

On motion of Senator Purl, the Senate, at 4:43 o'clock p. m., recessed until 10 o'clock tomorrow morning.

**APPENDIX.****Committee on Enrolled Bills.**

Committee Room,  
Austin, Texas, Jan. 13, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 1 carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, Jan. 13, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 2 carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, Jan. 13, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 2 carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, Jan. 13, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 3 carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

**Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, Jan. 13, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 1 carefully examined and compared and find same correctly engrossed.  
REGAN, Chairman.

**THIRD DAY (Continued).**

Senate Chamber,  
Austin, Texas,

Saturday, January 14, 1933.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Since no quorum was present when the Senate recessed, the roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Blackert.	Oneal.
Collie.	Pace.
Cousins.	Parr.
DeBerry.	Poage.
Duggan.	Redditt.
Holbrook.	Regan.
Hornsby.	Sanderford.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.

**Absent.**

Hopkins.	Russek.
Purl.	

**Absent—Excused.**

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	Stone.

**Motion for Free Conference.**

The question recurred upon the question to ask for a free conference committee on S. C. R. No. 3.

The motion prevailed by the following vote:

**Yeas—14**

Beck.	Murphy.
Blackert.	Neal.
Collie.	Pace.
Cousins.	Parr.
DeBerry.	Regan.
Duggan.	Sanderford.
Martin.	Woodul.

**Nays—7.**

Holbrook.	Redditt.
Hornsby.	Woodruff.
Oneal.	Woodward.
Poage.	

**Absent.**

Hopkins.	Purl.
Moore.	Russek.

**Absent—Excused.**

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	Stone.

The Chair appointed the following on the part of the Senate:

Senators DeBerry, Poage, Oneal, Sanderford and Parr.

#### Reason for Vote.

I vote yea on the motion not to concur in the House amendment to S. C. R. No. 3 for the reason I am for reductions of all governmental salaries, including those of members of both Houses of the Legislature, and I believe the law contemplates, if it does not require, that the pay of members of both Houses shall be uniform.

COLLIE.

#### H. C. R. No. 1.

The Chair laid before the Senate:

H. C. R. No. 1, Endorsing attitude of Hon. Tom Connally and Hon. R. E. Thomason relative to removal of troops from Fort D. A. Russell.

Read and adopted.

#### Caucus Report Amended.

On motion of Senator Woodul, the Senate, by unanimous consent, amended the caucus report to provide that both the head porter, Jim Jackson, and the assistant head porter, Tom Burton, should receive \$3.50 per day.

#### Message From the House.

Hall of the House of Representatives, Austin, Texas, Jan. 14, 1933.

Hon. Walter Woodul, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on S. C. R. No. 3. The following are conferees on the part of the House:

Anderson, Coombes, Ramsey, Mofett, Scott.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Bills And Resolutions.

By Senators Moore, Murphy, Purl, Woodward, Poage, Woodruff:

S. B. No. 25, A bill to be entitled "An Act regulating and restricting graduate work of and by educational institutions, restricting graduate work to the University of Texas, and the Agricultural and Mechanical College, directing the Boards of Re-

gents and, or, Board of Managers of the educational institutions to enforce the provisions of this Act, fixing penalty for violation of this Act, and declaring an emergency."

Read and referred to Committee on State Institutions and Departments.

By Senator Moore:

S. B. No. 26, A bill to be entitled "An Act to amend Articles 1847 and 1848, Chapter 3, Title 39, Revised Civil Statutes of Texas of 1925, as amended by the act of the Forty-second Legislature, Chapter 64, Senate Bill No. 60, approved April 21, 1931, providing for the filing of records in the Courts of Civil Appeals in the order received by the clerk of that court, for setting cases for submission, for notifying parties of the date of the filing of the records, the date set for hearing, fixing the time and manner of filing briefs and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Moore:

S. B. No. 27, A bill to be entitled "An Act to amend Article 2190, Revised Civil Statutes of 1925, Title 42, Chapter 8, as amended by the acts of the Forty-second Legislature, Regular Session, page 120, Senate Bill No. 95, by adding the following words: 'Based upon any cause of action or defense pleaded and sustained by evidence and a jury trial thereon shall be deemed waived' and by striking out the following words: 'regardless of whether the submission of such issue was requested by the complaining party,' and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senators Woodward, Purl, Holbrook, Woodul, Beck, Duggan, Cousins and Murphy:

S. B. No. 28, A bill to be entitled "An Act to regulate the practice of law in Texas; to create the State Bar of Texas; to provide for its organization, government, membership, powers and duties. To authorize and empower said State Bar to make rules subject to the approval of the Supreme Court for the regulation of the practice of the law in this State, and for the admission to the practice of law in this State, and for the reprimand, suspension

or disbarment for cause of such practitioners; for the protection of the public against the improper, unethical and unauthorized practice of the law in this State; providing for the reinstatement of such practitioners and for an appeal by such practitioners from any order of reprimand, suspension or disbarment to the Court of Civil Appeals for such practitioners Supreme Judicial District, for the trial of such practitioner, upon his filing his written election so to be tried, under Secs. 313-314-315 and 316, Title XIV Revised Civil Statutes of Texas where the trial is by jury unless waived; providing for fees to be paid by applicants for admission to practice law; and for membership fees to be paid by members of the State Bar to be paid into the Treasury of the State Bar, and for penalties of the law in this State by any person not an active member of the State Bar and prescribing penalties for the violation of such prohibition."

Read and referred to Committee on Civil Jurisprudence.

#### At Ease.

On motion of Senator Holbrook, the Senate, at 10:19 o'clock a. m., stood at ease subject to the call of the Chair.

#### In Session.

The Senate was called to order at 11:50 o'clock a. m. by President Pro Tem. Walter Woodul.

#### Communication from Attorney General.

The Chair laid before the Senate a communication from the Attorney General's Department relative to dates of expiration of terms of office of certain officials.

On motion of Senator Woodruff, the Senate voted to accept and file the report.

#### Simple Resolution No. 11.

Senator Purl sent up the following resolution:

Resolved by the Senate of the Forty-third Legislature of the State of Texas, That the Attorney General of Texas be and is hereby respectfully requested to furnish to the Presiding Officer of the Senate at his earliest convenience a depart-

mental opinion answering the following questions, to-wit:

What date does the term of the Hon. R. L. Batts, Regent of the University of Texas, expire?

What date does the term of the Hon. Robert L. Holliday, Regent of the University of Texas, expire?

What date does the term of the Hon. B. F. Tisinger, member of the University of Texas, expire?

What date does the term of the Hon. B. F. Tisinger, member of the State Board of Education, expire?

What date does the term of the Hon. C. H. Chernosky, member of the State Board of Education, expire?

What date does the term of the Hon. Tom Garrard, member of the State Board of Education, expire?

Does the Governor holding office as Governor on the date of expiration of term of office of above named officials have the power under the laws of this State to reappoint or name their successors?

PURL.

The resolution was read.

#### Senate Simple Resolution No. 13.

Senator Hornsby sent up the following resolution:

The Senate of Texas hereby extends most cordial invitations to Major General B. Winans, Commanding Eighth Corps Area, Fort Sam Houston, and his staff, including the officer in charge of National Guard Affairs, General Charles H. Danford and his staff of Randolph Field, to participate in the inaugural ceremonies of Governor Miriam A. Ferguson and Lieutenant Governor Edgar E. Witt, next Tuesday, January 17th, A. D. 1933.

HORNSBY.

Read and adopted.

#### Recess.

On motion of Senator Woodward, the Senate, at 12:04 o'clock p. m., recessed until 2 o'clock p. m.

#### After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

#### Adjournment.

Senator Pace moved to adjourn until 10 o'clock Monday morning. The motion prevailed, and at 2:03 o'clock p. m. the Senate adjourned.

**In Memory**  
**of**  
**Honorable Pat O'Keefe**

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**Senate Simple Resolution No. 12.**

Senator Purl sent up the following resolution:

WHEREAS, The Senate of Texas of the 43rd Regular Session, learned with sorrow of the passing of the Honorable Pat O'Keefe of Dallas, Texas; and

WHEREAS, Mr. O'Keefe was a sincere and lifelong Democrat and took an active part in the affairs of the Democratic Party of this Nation, State and local; and

WHEREAS, Mr. O'Keefe was known and universally loved throughout this Nation for his genial and amiable disposition and attended most of the State and National Democratic Conventions from early manhood and entertained the Conventions by jig dancing, and perhaps enjoyed as wide a personal acquaintance with men of National prominence as citizens of Texas:

WHEREAS, In his passing the Senate recognizes that a sincere and frank and honest citizen of this State, of the old school of Democrats, is a distinct loss to the State; Therefore Be It

RESOLVED, That we extend to his widow our heartfelt sympathy and that a page be set aside in the Journal in tribute to his memory.

PURL,  
BECK,  
BLACKERT,  
COLLIE,  
COUSINS,  
DeBERRY,  
DUGGAN,  
FELLBAUM,  
GREER,  
HOLBROOK,  
HOPKINS,

HORNSBY,  
MARTIN,  
MOORE,  
MURPHY,  
NEAL,  
ONEAL,  
PACE,  
PARR,  
PATTON,  
POAGE,  
RAWLINGS,

REDDITT,  
REGAN,  
RUSSEK,  
SANDERFORD,  
SMALL,  
STONE,  
WOODRUFF,  
WOODUL,  
WOODWARD.

Read and adopted unanimously by a rising vote.